REMARKS

Claims 1, 4-11, 14-20, 23 and 24 are pending in this application. By this Amendment, claims 25 and 27 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed below; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the Final Rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 25 and 27 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,100,999 to Ikegami. The cancellation of claims 25 and 27 renders this rejection moot.

The Office Action rejects claims 1, 4-11, 14-20, 23 and 24 under 35 U.S.C. §103(a) as being unpatentable over Ikegami in view of U.S. Patent Application Publication No. 2002/0107858 to Lundahl et al. (hereinafter "Lundahl"). This rejection is respectfully traversed.

The Office Action concedes that Ikegami does not teach calculating a color signal pair accuracy of the target color signal pair on the basis of a relation between the target output color signal and the plurality of output vicinity color signals, as positively recited in the pending claims. Rather, the Office Action asserts that Lundahl teaches such a feature.

The analysis of the Office Action fails for at least the following reason. Lundahl, in paragraph [0219], teaches that a weighted distance from a cluster average is calculated, and

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the calculated distance is used to determine whether or not a member of a cluster should be reclassified as an outlier. In other words, Lundahl simply teaches a binary determination of whether or not a member of a cluster is an outlier.

As discussed on page 19, lines 17-20, in the example of the accuracy function shown in Fig. 4A, the normal value is set to 1 and the abnormal value is set to 0, and also the accuracy between the normal value and the abnormal value can be calculated. In this manner, abnormal degrees can be quantified. Therefore, an accuracy is defined in the Applicant's disclosure as quantifying degrees of accuracy. In contrast, Lundahl teaches solely a binary value which determines whether or not a calculated distance is an outlier. For at least this reason, Lundahl cannot reasonably be considered to teach, or to have suggested, the above-discussed feature.

The Office Action concedes that Ikegami fails to teach calculating the color signal pair accuracy using a monotone decreasing and smooth function of the color signal statistical distance, as positively recited in the pending claims. The Office Action again asserts that Lundahl teaches this feature. However, this assertion is incorrect. Lundahl teaches, in paragraph [0193], a weighting function. This weighting function is drawn to weighting each point based on a cluster weight density, as discussed in paragraph [0194]. A distance function, as discussed in paragraphs [0219] - [0220], is not monotonically decreasing. Because $w(s)$ is not a function of the weighted distance d_W, and the distance function d_W is not monotonically decreasing, Lundahl cannot reasonably be considered to teach, or to have suggested, calculating the color signal pair accuracy using a monotone decreasing and smooth function of the color signal statistical distance, as positively recited in the pending claims.

The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ikegami and Lundahl to render obvious the subject matter of the pending claims. This assertion is incorrect. Ikegami teaches

predicting the output signal corresponding to an arbitrary input signal and an input signal corresponding to an arbitrary output signal, or using an arbitrary output signal and a part of an input signal to predict the remaining part of the input signal. As discussed in col. 3, lines 5-10 of Ikegami, this makes it possible to predict color transfer characteristics without being dependent on the color image input/output device. In other words, Ikegami teaches converting input color values to output color values suitable for printing, without reliance on any correction or offset corrections which may be required based on the specific type of hardware of the printing, or output, device. Lundahl, as discussed in paragraphs [0097] - [0103], teaches targeting optimum consumer profiles based on creating relationships between a plurality of data matrices, where each data matrix stores data pertaining to a particular market factor to be analyzed. In this manner, enhanced market analysis could be performed by determining an optimum balance of marketing factors for a target demographic group.

The color quality maintenance of Ikegami cannot reasonably be considered to correspond to the market research analysis of Lundahl, because "quality control" as discussed by Lundahl, refers to the maintenance of proper standards in manufactured goods, especially by periodic random inspection of the product.

It would not have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ikegami and Lundahl, because Ikegami teaches maintaining a particular correspondence between input and output points, regardless of intervening conditions. Lundahl teaches creating dynamic optimizations based on a plurality of input factors, which are modified based on market conditions. Ikegami teaches preserving a correspondence between input and output points regardless of intervening conditions, where Lundahl teaches modifying output points due to the effects of intervening conditions such as changes in a market.
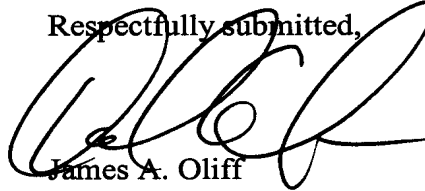
For at least the above reasons, Ikegami and Lundahl are not combinable in the manner suggested by the Office Action, no evidence of predictability for combining these references with any reasonable expectation of success has been shown, and no permissible combination of Ikegami and Lundahl can reasonably be considered to have suggested the combinations of all of the features positively recited in pending independent claims 1, 9, 11, 19, 23 and 24. Further, claims 4-8, 10, 14-18 and 20 also would not have been suggested by this combination of references for at least the respective dependence of these claims directly or indirectly on allowable base claims, as well as for the separately patentable subject matter that each of these claims recite.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 4-11, 14-20, 23 and 24 under 35 U.S.C. §103(a) as being unpatentable over the asserted combinations of references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4-11, 14-20, 23 and 24 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Attachment:
    Petition for Extension of Time

Date: May 7, 2008

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